

IN RE: FRANCISCO LUIS RODRIGUEZ DIAZ

Bkrtcy. No. 11-03056-ESL

Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES
AND REPORT ON CONFIRMATION

Petition Filing Date: Apr 11, 2011 Meeting Date: Oct 05, 2011 DC Track No. 23

Days from petition date: 177 Meeting Time: 3:00 PM

910 Days before Petition: 10/13/2008 ☐ Chapter 13 Plan Date: May 16, 2011 Dkt.# 16 ☐ Amended.

This is debtor(s) 1 Bankruptcy petition. Plan Base: \$39,840.00

This is the 2 Scheduled Meeting Confirmation Hearing Date: Nov 09, 2011 Time: 2:00 PM

Payment(s) ☐ Received or
☐ Evidence shown at meeting:

Ck/MO No.	Date	Amount	Total Paid In:
			<u>\$1,600.00</u>

I. **Appearances:** ☐ Telephone ☐ Video Conference

☒ Debtor Present ☒ ID & Soc. OK ☐ Debtor Absent

☐ Joint Debtor Present ☐ ID & Soc. OK ☐ Joint Debtor Absent

Debtor(s) was/were ☒ Examined ☐ Not Examined under oath.

Attorney for Debtor(s) ☒ Present ☐ Not Present

☐ Substitute attorney: J. Jimenez ☐ Pro-se.

☐ Creditor(s) present: ☒ None.

II. Attorneys Fees as per R 2016(b) Statement Attorney of record: ALMEIDA & DAVILA PSC

Total Agreed: \$3,000.00 Paid Pre-Petition: \$900.00 Outstanding: \$2,100.00
THROUGH THE PLAN

III. Trustee's will file Motion to Dismiss: ☐ For Failure to appear; ☐ For Failure to commence payments.

IV. Trustee's Report on Confirmation & Status of §341 Meeting

Debtor(s) Income is (are) ☐ Under ☒ Above Median Income. Liquidation Value: 0

Commitment Period is ☐ 36 ☒ 60 months. [§1325(b)(1)(B)] Gen. Unsecured Pool: 0

100% The Trustee ☐ RECOMMENDS ☒ OBJECTS Plan confirmation.

§341 Meeting ☐ CONTINUED ☐ NOT HELD ☒ CLOSED ☐ HELD OPEN FOR DAYS

§341 Meeting Rescheduled for:

V. Trustee's OBJECTIONS to Confirmation:

☐ FEASIBILITY [§1325(a)(6)] ☐ INSUFFICIENTLY FUNDED ☐ To pay §507 ☐ Fails Creditor's Best Interest Test §1325(A)(4)

☐ FAILS DISPOSABLE INCOME REQUIREMENTS ☐ Tax returns requirements. [§1308]

☒ Failure to comply with DSO requirements ☐ Plan not filed in Good Faith §1325(a)(3) ☐ Unfair Discrimination §1322(a)(3)

ADDITIONAL OBJECTIONS / COMMENTS:

① Submit DSD Recipient Statement, regarding debtor being up to date in child support post petition.

② Debtor sold vehicle Ford E-250.

/s/ José R. Carrión
Trustee

Presiding Officer

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Date: Oct 05, 2011

Case No. 11-D-3056(E)

ADDITIONAL OBJECTIONS / COMMENTS:

in August 2011 for \$4,000.00 to pay Back to School Expenses, and tuition for children. Trustee Request all the documents regarding the (5) sale of the Truck and expenses.

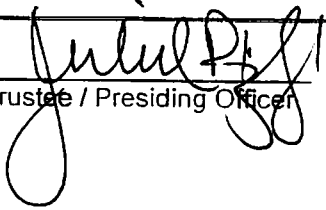
(3) Debtor needs to submit how the amount of \$5,000.00 is determined to fund the plan. Trustee needs to evaluate income & expenses from Business in order to determine feasibility of plan.

Submit Tax return, FVA from Colorado.

(4) Debtor needs to clarify when loan listed in Sch F. was refinance loan with F. Bank. XXX 5164 (opened in 3/1/2011 - Last active 4/1/11) petition filed April 11, 2011.

(7) Debtor stated his spouse is contemplating filing Bankruptcy.

(5) Debtor bought Toyota 1998 Camry with some of the proceeds of the sale of the Truck.


Trustee / Presiding Officer

Date: Oct. 5, 2011